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**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

In re:

Ashley Anderson

§
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§
§
§

Case No: 24-40129

OBJECTION TO PROOF OF CLAIM NO. 13
FILED BY KEVIN WHRITENOUR

NO HEARING WILL BE CONDUCTED HEREON UNLESS A WRITTEN RESPONSE IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT AT ELDON B. MAHON U.S. COURTHOUSE, 501 W. TENTH STREET, FORT WORTH, TX 76102-3643 BEFORE THE CLOSE OF BUSINESS ON MAY 1, 2024, WHICH IS AT LEAST 30 DAYS FROM THE DATE OF SERVICE HEREOF.

ANY RESPONSE SHALL BE IN WRITING AND FILED WITH THE CLERK, AND A COPY MUST BE SERVED UPON COUNSEL FOR THE MOVING PARTY PRIOR TO THE DATE AND TIME SET FORTH HEREIN. IF A RESPONSE IS FILED A HEARING WILL BE HELD WITH NOTICE ONLY TO THE OBJECTING PARTY.

IF NO HEARING ON SUCH NOTICE OR MOTION IS TIMELY REQUESTED, THE RELIEF REQUESTED SHALL BE DEEMED TO BE UNOPPOSED, AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT OR THE NOTICED ACTION MAY BE TAKEN.

TO THE HONORABLE JUDGE MARK X. MULLIN, UNITED STATES BANKRUPTCY JUDGE:

Ashley Anderson, Debtor, file this *Objection to Proof of Claim No. 13 Filed by Kevin*

Whritenour, and would respectfully show as follows:

1. On January 14, 2024, the Debtors filed a voluntary petition in this Court for relief under chapter 13 of the United States Bankruptcy code.

2. The Court has jurisdiction over this matter under 28 U.S.C. §§ 1334 and 157. This matter constitutes a “core” proceeding within the meaning of 28 U.S.C. § 157(b)(2).

3. Kevin Whritenour, filed a proof of claim asserting a unsecured claim in the amount of \$1,368,000.00, which was docketed as Claim No. 13 on the Court’s ECF claims register for this case (the “Subject Claim”).

4. Per the filed claim, the amount of \$1,368.000.00 stems from the divorce mediated settlement ordered on or about August 24,2022. Per the mediated settlement, Kevin Whritenour is entitled to 43% of the sale of the home (“property”) located at 1920 CR 427, Pleasanton, TX 78064. The property has been on the market since October 2022 and has been assigned a receiver as of June 2023. The property has not been sold as of April 1, 2024. This a claim not towards the bankruptcy estate, but is a direct claim against the mediated divorce settlement already awarded and is payable to Mr. Whritenour upon the sale of the marital property. It is not collectable from the bankruptcy estate.

5. Additionally, no evidence of security claim was filed with Claim No. 13 on the Courts ECF docket.

WHEREFORE, PREMISES CONSIDERED the Debtor requests that the Court disallow Claim No. 13 of Kevin Whritenour, and for such other and further relief to which she may show herself justly entitled.

Respectfully submitted,

/s/Matthew F. Wegner
Matthew F. Wegner
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served concurrently with the filing of the same (a) by ECF upon all persons who have filed ECF appearances in this case, including counsel of record for the Creditor, the Trustee, The office of the United States Trustee, and all persons and entities requesting notice under Fed.R. Civ. P. 2002(m) and (b) by first class mail, postage prepaid on the following:

Dr. Kevin Writenour, AUD
% Norred Lw, PLLC
515 E. Border Street
Arlington, TX 76010

/s/Matthew F. Wegner
Matthew F. Wegner